KAIKŌURA
DISTRICT COUNCIL

Animals Bylaw (2025)

Approved by:	Executive
Responsible for its Updating:	Planning Department
Final Approval by:	Council
Bylaw First Issued:	1/7/2015
Date of This Issue:	1/10/2025
Proposed Date of Review:	1/10/2030

PREAMBLE

This preamble is intended to explain the Animals Bylaw's context and general intention.

a) This Animals Bylaw contains a revised version of the Dog Control Bylaw 2015. The dog control section of this bylaw gives effect to the Dog Control Policy under section 10 of the *Dog Control Act 1996*, which states that it is the duty of the territorial Council to adapt a Dog Control Policy and then give effect to it through a bylaw. While the dog control section of the bylaw is largely unchanged from the previous Dog Control Bylaw, the Council has broadened the bylaw to include all animals.
b) The bird section has resulted from concern in our community that the native bird population is under threat from off-leash dogs and motor vehicles during the nesting seasons. As presented in a range of newspaper stories and Council hearings, anecdotal reports, and reports of preventable deaths of nesting birds, including photo evidence and nest survival tracking data, led to a proposal to protect key seabird nesting areas where possible. In response, we have placed clauses in the Animals Bylaw preventing the driving of motor vehicles and off-leash dogs between 1 September and 1 December on specific beaches (shingle/sand/pebbles etc.) determined to be key nesting places.
c) The additional concern is that cats are threatening various native bird populations and reducing biodiversity more generally. To reduce the negative impact cats are having, we have introduced mandatory microchipping and registration, and desexing of companion cats (excluding cats used as registered breeders). Failure to desex, microchip, and keep cats at home results in an increased number of cats living as

strays, and seasonal influx of unwanted kittens that experience high mortality (Marston & Bennet, 2009; Nutter et al., 2004). Desexing cats is an important way of reducing the number of unwanted cats, improving the health of individual animals, and reducing the potential for problems associated with cats in communities, and helps to protect local wildlife from predation. A recent study that reviewed 16 years of native wildlife admissions to three wildlife hospitals in New Zealand found that cats preyed on a range of native wildlife in urban and rural environments. Of the 639 animals admitted due to being preyed on by cats (93.6% birds, 6.4% reptiles), only 38.2% of them survived (Gartrell et al. 2023). This problem was identified in our local setting in a 2022 article titled 'Time to Talk About Cats', where Forest and Bird Aotearoa/New Zealand noted that in one season dotterels built 46 nests but only two chicks made it to adulthood, with cats playing a role.

d) Cats are also the only definitive host of the parasite Toxoplasma gondii, which causes toxoplasmosis in other animals and people (Stelzer et al., 2019). Pastorally farmed animals are primarily infected through feed and water contaminated with faeces from cats who have shed the protozoa eggs (Dubey, 2009; Stelzer et al., 2019). Toxoplasmosis infection poses economic impacts due to abortion in sheep (Dempster et al., 2011) and deer (Patel et al., 2019). Toxoplasmosis is also a cause of death for New Zealand's native wildlife.
e) While cat owners may deem that this intervention is unfair, the intervention is not only done to protect broader biodiversity but is good for cats themselves. Both male and female cats have a longer life span when desexed (Banfield Pet Hospital, 2013). Un-desexed female cats are at risk of malignant mammary gland tumours (Dorn et al.,1968; Graf et al., 2016; Hampe & Misdorp, 1974; Hayes et al., 1981). Moreover, in cases where a licenced veterinarian provides a letter of support for an exemption to the desexing surgery, we have allowed for such exceptions to occur.
f) The cat management part of the bylaw will not be enforced until one year after the full implementation date for the rest of the bylaw to give the district time to adjust.

PART 1 - INTRODUCTORY

1.1 Title

1. This bylaw shall be cited as the Animals Bylaw.

1.2 Commencement

1. This bylaw shall come into force on 1 October 2025. However, an amnesty period applies to the cat management part (4) of this bylaw until 1 October 2026, meaning that during the first year we still expect compliance with the whole bylaw but will not be enforcing part 4.

1.3. Purpose

1. The purpose of the bylaw is to:
    a) give effect to Kaikōura District Council's Dog Control Policy and to provide for matters set out in the *Dog Control Act 1996*.
    b) put measures in place that reduce nuisance, promote public health and safety, and safeguard the welfare of animals.

1.4. Legislative Authority

1. This Bylaw is established under sections 145, 146 and Part 8 of the *Local Government Act 2002*; section 20 of the *Dog Control Act*; section 64 of the *Health Act 1956*; and section 22AB of the *Land Transport Act 1998*.

PART 2 - INTERPRETATION

2.1. Definitions

Adequate ventilation for dogs when transported in a crate or vehicle entails the ability for the dog to stand, turn around, and lie down comfortably.

Animal has the meaning defined in the *Animal Welfare Act 1999* and means any live member of the animal kingdom that is a mammal, bird, bee, or any other member of the animal kingdom that is declared from time to time by the Governor General, by Order in Council, to be an animal.

Beaches include the foreshore area covered and uncovered by the ebb and flow of the tide, and any adjacent area which can reasonably be considered part of the beach including areas of sand, pebbles, and shingle.

Companion cats are cats that are kept as domestic pets.

Control (of a dog) means that the dog is not causing a nuisance or danger and that the person in charge of the dog has the dog under continuous surveillance and is able to obtain an immediate and desired response from the dog by use of a leash, voice commands, hand signals, whistles, or other effective means.

Council means the Kaikōura District Council.

District means the area for the time being administered by the Kaikōura District Council.

Dog Exercise Area means a public place or public area designated for the exercise of dogs in accordance with this bylaw.

Health hazard means where a dog is kept in circumstances which are offensive, or likely to be injurious to public health.

Leash means an adequate restraint not exceeding 2 metres in length and held by a person physically capable of restraining the dog.

Licenced veterinarian refers to a veterinarian that holds a practicing certificate with the Veterinary Council of New Zealand.

Microchip is a small chip that is implanted under the skin that has a unique identification number attached to it. For cats the microchip number is then registered to the New Zealand Companion Animal Register (NZCAR), or a Kaikōura District Council alternative, where the owner's contact details can be found by approved users.

Motor vehicles are defined in the *Land Transport Act 1998*.

Nuisance refers to the dictionary definition (a person, thing, or circumstance causing trouble or annoyance; anything harmful or offensive to the community or a member of it and for which a legal remedy exists).

Prohibited Public Place means a place where dogs are not allowed in accordance with this bylaw.

Registration for companion cats means a one-off registration of the microchip with the New Zealand Companion Animal Register (NZCAR) or a Kaikōura District Council alternative.

PART 3 - DOGS

3.1. Obligations for Dog Owners

1. Every owner shall ensure that:

a) The dog is kept from prohibited areas as specified in this bylaw.
b) The dog is kept under control at all times.
c) The dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter.
d) The dog receives adequate exercise.
e) The dog does not create a nuisance or health hazard.
f) Access to the owner's dwelling house is unhindered by dogs.
g) The dog is adequately controlled when in or on a vehicle.
h) Faeces deposited by the dog are removed immediately and disposed of.
i) All dogs are registered (and microchipped) in accordance with the *Dog Control Act*.

3.2. Prohibited Areas for Dogs

1. Except for the types listed below, dogs are prohibited from the following areas:

a) Gooches Beach Recreation Reserve within 10 metres of play equipment
b) Recreation Reserve (next to 103 South Bay Parade) within 10 metres of play equipment
c) Bayview Street Park within 10 metres of the play equipment
d) Churchill Street Park within 10 metres of the play equipment
e) Point Kean Seal Colony area and car park and the Peninsula walkway
f) Jimmy Armers Beach and Recreation Reserve from 1 November to 31 March each year
g) South Bay Domain fenced off sports areas (excluding any A & P Show activities)
h) Wildlife reserve adjacent to Lyell Creek (Ludstone Road corner)
i) South Bay commercial boat part, Moa Point and the small craft marine facility area
j) Garden of Memories
k) Reservoir Site Scarborough Street
l) Kaikōura Cemetery
m) Gillings Lane / Beach Road Recreation Reserve within 10 metres of play equipment.

2. The following working dogs are not prohibited from the areas listed above as long as the dogs are carrying out their function as working dogs:

a) Disability assistance dogs as defined in section 2 of the *Dog Control Act*;
b) Specialist rescue dogs; and
c) Any dog kept by the Police, the Customs Department or the Ministry of Defence, any security officer, or any employee of any governmental department solely for the purposes of carrying out their functions, powers and duties.

3.3 Dog On-Leash Areas

1. Dogs are allowed in the following areas as long as they are on a leash:

a) West End (between State Highway 1 and Esplanade)
b) Lydia Washington Walkway (West End to Deal Street)
c) Annie Boyd Walkway (Torquay Street to Killarney Street)
d) Takahanga Terrace to Killarney Street Walkway
e) Dempsey's Track (Torquay Street to Scarborough)
f) Tom's Track (Torquay Street to Scarborough Street)
g) Churchill Street (West End to Scarborough Street)
h) Beach Road (Mill Road to Ludstone Road/ Churchill Street intersection)
i) Takahanga Domain
j) The Recreation Reserve and the Foreshore from Moa Point to the stormwater drain opposite 107 South Bay Parade (north of Moa Road end).

2. To support the protection of birds, dogs are also not allowed off the leash on the beaches outlined in Schedule A of this document between 1 September and 1 December each year.

3.4. Dog Exercise Areas

1. Dogs may be exercised at large in the following areas so long as doing so does not contradict section 3.3(2) of this document:

a) South Bay Recreation Reserve (South Bay Foreshore)
b) South Bay Recreation Reserve (near the start of the peninsula walkway)
c) South Bay Domain (area from South Bay Parade / State Highway 1 corner to the Kowhai River on the seaward side of State Highway 1)
d) Beach Foreshores (except Jimmy Armers Beach and South Bay Commercial Boat Park)
e) Riverbeds and the Queens Chain adjoining rivers (Esplanade Reserves and Strips)
f) Recreation Reserve on the South bank of the Kowhai River
g) Churchill Park (Dogs are prohibited within 10m of play equipment)

3.5. Control of Dogs

1. Every owner shall ensure –

a) that in all public places the dog is always kept under control.
b) that the dog, if not under control, is tied up or otherwise confined to the owner's property.
c) adequate absentee control of the dog.

2. Every owner shall in accordance with section 52 of the *Dog Control Act* ensure that any dog under their control is not permitted to roam or be at large on any land or premises without the consent (express or implied) of the occupier or person in charge of that land or premises.

3. Where in the opinion of –

i. The occupier of the land or premises, or any other person acting with the authority of such occupier (whether express or implied) or

ii. Any person in any public place,
a dog is likely to cause annoyance or distress to any person or animal or damage to any property of the land or premises or in any public place, the occupier or person may seize the dog and cause the dog to be returned to its owner, or to be delivered into the custody of a Dog Control Officer.

4. Where a dog is delivered into the custody of a Dog Control Officer under this section, the Dog Control Officer may return the dog to its owner or impound the dog.

5. The occupier of any premises whereon any kennel or enclosures in which dogs are kept or housed shall maintain and keep them in a clean condition.

6. The owner or occupier of any premises whereon any dog/s are customarily kept shall take adequate precautions to prevent the keeping of such dogs from becoming a nuisance or injurious to health.

7. If the Dog Control Officer is of the opinion that the keeping of dogs on any premises is or is likely to become a nuisance or injurious to health, he or she may by way of notice to the occupier of those premises prohibit the keeping of dogs on those premises.

3.6. Shelter for Dogs

1. The owner of any dog shall provide for it a weatherproof kennel or place of confinement of adequate size with access to clean water, constructed on well-drained ground and, in the case of a kennel without other means of confinement, provided with a fixed chain or running wire which allows the dog free movement about the kennel, and which d. All kennels or places of confinement shall be kept in a reasonable, clean and sanitary condition. A place of confinement may include a dwelling.

2. Dog Control Officers will have discretion to determine what is reasonable.

3. Other than in a dwelling, no owner of any dog shall keep it on any premises nearer than two metres to any boundary of those premises.

3.7. Nuisances and Health Hazards

1. The owner of every dog shall ensure that the dog does not create a nuisance or health hazard.

2. A dog creates a nuisance when it:

a) Obstructs the lawful passage of a person in public places; or
b) Rushes at or frightens any person in a public place, or any person who is lawfully present on private property; or
c) Destroys tears or otherwise interferes with any refuse receptacle container or bag whether the container is on private property or in a public place; or
d) Disrupts the recreational enjoyment of persons in public places and/or urinates/defecates on a person's belonging in these areas; or

e) Persistently barks loudly or howls.

3. If, in the opinion of the Council, any dog or dogs or the keeping thereof on any premises has become or is likely to become a nuisance, the Council may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice, to do all or any of the following:

a) Reduce the number of dogs kept on the premises.
b) Order the permanent removal of a single dog on the property.
c) Construct, alter, reconstruct or otherwise improve the kennels, places of confinement, other buildings or fencing used to house or contain such dog or dogs; (Dog Control Officers will have the discretion to determine what is acceptable or reasonable).
d) Require such dog or dogs to be tied up or otherwise confined during specific periods.
e) Take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance.

4. The owner of every bitch in season shall keep it continuously confined on their property whilst the bitch is in that condition. Where the bitch in season must be taken from the owner's property, the bitch shall be always confined.

3.8. Number of Dogs Permitted in the Urban Area

1. No more than two dogs are allowed to be kept on a property in the residential areas within the Kaikōura township and outlying township settlements of Oaro, Goose Bay, Peketa, Hapuku, Rakautara, Clarence and Kekerengu without a licence.

2. A licence to have more dogs than outlined above may be issued by Council subject to the terms, conditions and restrictions the Council considers appropriate.

3. The granting of a licence is Council's absolute discretion. In considering whether consent should be granted, the Council shall have regard to:

a) The adequacy of the housing, exercising and fencing control that will be provided.
b) The likelihood of noise, waste or other nuisance being created by additional animals.
c) The view of other persons affected.
d) Whether the property subject to the application is in the Council's view sufficient size to keep the breed of dogs and/or the number applied for.
e) Whether the granting of the licence may compromise neighbourhood amenity.

4. A licence may be reviewed and/or cancelled by Council for breach of its terms, conditions or restrictions or following receipt by the Council of two substantiated complaints.

5. Any owner holding a licence who wishes to increase the number of dogs permitted on the property under the licence must make a fresh application to the Council for the total number of dogs to be kept on the property.

3.9. Menacing Dogs (Section 33A Dog Control Act 1996 menacing by deed and section 33C menacing by breed)

1. Dogs classified as menacing under section 33A of the *Dog Control Act* may be required to be neutered. In exercising this discretion, the Council will consider the likely effectiveness of neutering in reducing the dog's aggressive behaviour. One month after receiving a notice under this section the owner must provide a certificate issued by a veterinarian certifying the dog has been neutered.

2. Every owner of a dog classified as menacing under section 33C must, if required by the Council (or Dog Control Officer on behalf of Council), within one month after receiving notice of the classification, provide to the Council a certificate issued by a veterinarian certifying that the dog has been neutered.

3.10. Dogs in Vehicles

1. No person shall keep or leave a dog in a motor vehicle unless the dog is securely confined within that vehicle so as not to constitute a nuisance or endanger any person.

2. A dog kept or left in a motor vehicle shall be provided with adequate ventilation.

3. No person shall allow any dog to ride or remain on the open tray of a vehicle unless it is under tight control by chain, rope, or other device to prevent the dog from falling from the vehicle. The dog shall be adequately secured to prevent it from being a nuisance or endangering any person.

4. The above clause shall not apply where the dog is adequately confined on the rear of a vehicle by means of a wire cage or similar device.

3.11. Impounding of Dogs in Breach of Bylaw

1. Any dog found at large:

a) In breach of clauses 3.2. and 3.3 of this bylaw, whether or not it is wearing a registration label or disk as required by the *Dog Control Act*; or

b) On any land or premises other than a public place of a private way without consent (express or implied) of the occupier or person in charge of that land or premises may be seized and impounded by a Dog Control Officer.

2. As soon as practicable after any dog has been impounded the Council shall:

a) In the case of a dog wearing a registration disc or where the owner of the dog is known, give written notice to the owner that the dog has been impounded and that unless the dog is claimed and any fee payable paid within 7 days of receipt of the notice the dog may be sold, destroyed or otherwise disposed of in such a manner as the Council see fit. After the expiry of the period the Council may so dispose of the dog.

b) Where the owner of the dog is not known or despite reasonable enquiry cannot be identified, the Council may, after the expiration of 7 days after the date of seizure of the dog, sell, destroy, or otherwise dispose of the dog in such a manner as it thinks fit.

3. The sale, destruction of disposal of any dog in accordance with this bylaw shall not relieve the owner of the dog of liability for the payment of any fees or penalties under this bylaw.

3.12. Removal of Faeces

1. The owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner shall immediately remove the faeces from that place and dispose of it in a sanitary manner into a suitable receptacle.

2. The owner or person in charge of a dog in any public place must carry a suitable receptacle for the removal of any faeces defecated by that dog.

3. Failure of the dog owner to comply with the two clauses above is an offence and may result in enforcement action being taken by a Dog Control Officer.

3.13. Application for Registration / Dog Control Fees

1. Dog owners must register their dogs annually not later than the first day of August of each year.

2. Where a dog is less than three months of age, an application to register the dog shall be made before the dog attains the age of three months.

3. Subject to the above clause, where an unregistered dog is purchased or otherwise acquired, the new owner must make an application to register the dog.

4. Dog control fees shall be fixed annually be resolution of the Council, in accordance with the *Dog Control Act*.

5. No registration fee will be payable for Disability Assist Dogs.

PART 4 – CATS

4.1. Controlling Companion Cats

1. Every person who keeps cats must ensure that cats of 16 weeks of age or older are:

a. Microchipped.

b. Registered on the New Zealand Companion Animal Register or a Kaikōura District Council alternative.

and

c. Desexed (unless kept for breeding purposes and registered with a nationally recognised cat breeders' body, including New Zealand Cat Fancy Ltd and Catz Inc, or, in situations where a letter is provided by a licenced veterinarian stating that the surgery should not take place).

PART 5 – BIRDS

5.1. Bird Protection Zones

1. From 1 September to 1 December each year letting dogs off the leash is prohibited on the beaches presented in Schedule A of this bylaw.

2. From 1 September to 1 December each year driving any kind of motorised vehicle is prohibited on the beaches presented in Schedule A of this bylaw. Exemptions to this prohibition apply:

   a) To emergency services, the Regional Council, and those working on their behalf, where motorised access to the beaches is required for the provision of emergency services or urgent natural hazard mitigation work; or
   b) where the Kaikōura District Council has confirmed, in writing, they are satisfied adequate protection are in place to protect nesting and rearing birds.

PART 6 - MONITORING AND ENFORCEMENT

6.1. Enforcement Officers

1. The Council may, by resolution, appoint any of its officers to act as an enforcement officer to carry out any of the functions of an enforcement officer under this bylaw.

2. Every enforcement officer who exercises or purports to exercise any power under this bylaw shall carry and produce, on demand, a warrant and evidence of the officer's identity.

6.2. The following penalties apply of Part 3 (Dogs) of this document

1. Extract from the *Dog Control Act 1996.*

Section	Brief Description of Offence	Infringement Fee
18	Wilful obstruction of Dog Control Officer or Dog Ranger	$750
19(2)	Failure or refusal to supply information or wilfully stating false particulars	$750
19A(2)	Failure to supply information or wilfully supplying false particulars about a dog	$750
20(5)	Failure to comply with any bylaw authorised by section 20 of the Act	$300
23A(2)	Failure to undertake dog owner education programme or obedience course (or both)	$300
24	Failure to comply with obligations of probationary owner	$750
28(5)	Failure to comply with effects of disqualification	$750

32(2)	Failure to comply with effects of classification of dog as a dangerous dog	$300
32(4)	Fraudulent sale or transfer of dangerous dogs	$500
33EC(1)	Failure to comply with the effects of classification of dog as menacing dog	$300
33F(3)	Failure to advise person of muzzle and leashing requirements	$100
36A(6)	Failure to implant microchip transponder in dog	$300
41	False statement relating to dog registration	$750
41A	Falsely notifying death if dog	$750
42	Failure to register dog	$300
46(4)	Fraudulent attempt to procure replacement label or disc	$500
48(3)	Failure to advise change of ownership of dog	$100
49(4)	Failure to advise change of address	$100
51(1)	Removal or swapping of labels or discs	$500
52A	Failure to keep a dog controlled or confined	$200
53(1)	Failure to keep dog under control	$200
54A	Failure to use or carry a leash in a public place	$100
54(2)	Failure to provide care and attention, to supply proper and sufficient food, water and shelter, and to provide adequate exercise	$300
55(7)	Failure to comply with barking dog abatement notice	$200
62(4)	Allowing a dog know to be dangerous to be at large unmuzzled or unleashed	$300
62(5)	Failure to advise of muzzle and leashing requirements	$100
72(2)	Releasing dog from custody	$750

6.3. The following penalties apply to Part 4 (Cats) of this bylaw

1. Every person who commits a breach of any of the Part 4 previsions of this bylaw, including the requirement to have companion cats microchipped, registered or

desexed commits an offence and may be liable on summary conviction to a fine of up to $5,000 pursuant to section 242(4) of the *Local Government Act 2002*.

6.4. The following penalties apply of Part 5 (Birds) of this bylaw

1. Every person who allows their dog off the leash upon the beaches prohibited by this bylaw (as outlined in Schedule A of this bylaw) between 1 September and 1 December may be liable for an infringement fee of $300 pursuant to section 20(5) of the *Dog Control Act 1996*.

2. Every person who drives on the beaches prohibited by this bylaw (as outlined in Schedule A of this bylaw) between 1 September and 1 December is liable for a fine not exceeding $1,000 pursuant to section 22AB(1)(b) of *the Land Transport Act 1998*.

PART 7 - MISCELLANEOUS

7.1. Delegations

1. Except where this bylaw provides that a resolution or special order of the Council is required, all actions required to be done by the Council under this bylaw may be undertaken by any officer, employee or agent of the Council to whom authority has been lawfully delegated.

2. Proof of such delegation may be established by:

a) Reference to the instrument of delegation; or
b) Production of an identity card indicating the general terms of the holder's delegated authority; or
c) Any other reasonable means.

7.2. Repeals

1. On the commencement of this bylaw, the *Dog Control Bylaw 2015* shall be repealed.

THE RESOLUTION BY WAY OF SPECIAL CONSULTATIVE PROCEDURE TO MAKE THIS BYLAW was passed by **THE KAIKŌURA DISTRICT COUNCIL** at a meeting of the Kaikōura District Council held on 30 July 2025. By a resolution passed by the Council on 24 September 2025 the said Bylaw was ordered to come into effect on 1 October 2025 (with amnesty provided regarding the cat management part (4) until 1 October 2026).

Mayor 24 September 2025

Chief Executive 24 September 2025

Schedule A: Bird Protection 'Beaches'

Note: these maps show the beaches where the 1 September to 1 December restriction of off-leash dogs and motor vehicles apply. The restriction only applies to the beaches in these areas. A beach is defined as the foreshore area covered and uncovered by the ebb and flow of the tide, and any adjacent area which can reasonably be considered part of the beach including areas of sand, pebbles, and shingle; it does not include the adjoining park and roads.

Local Maps Print
Beaches - North

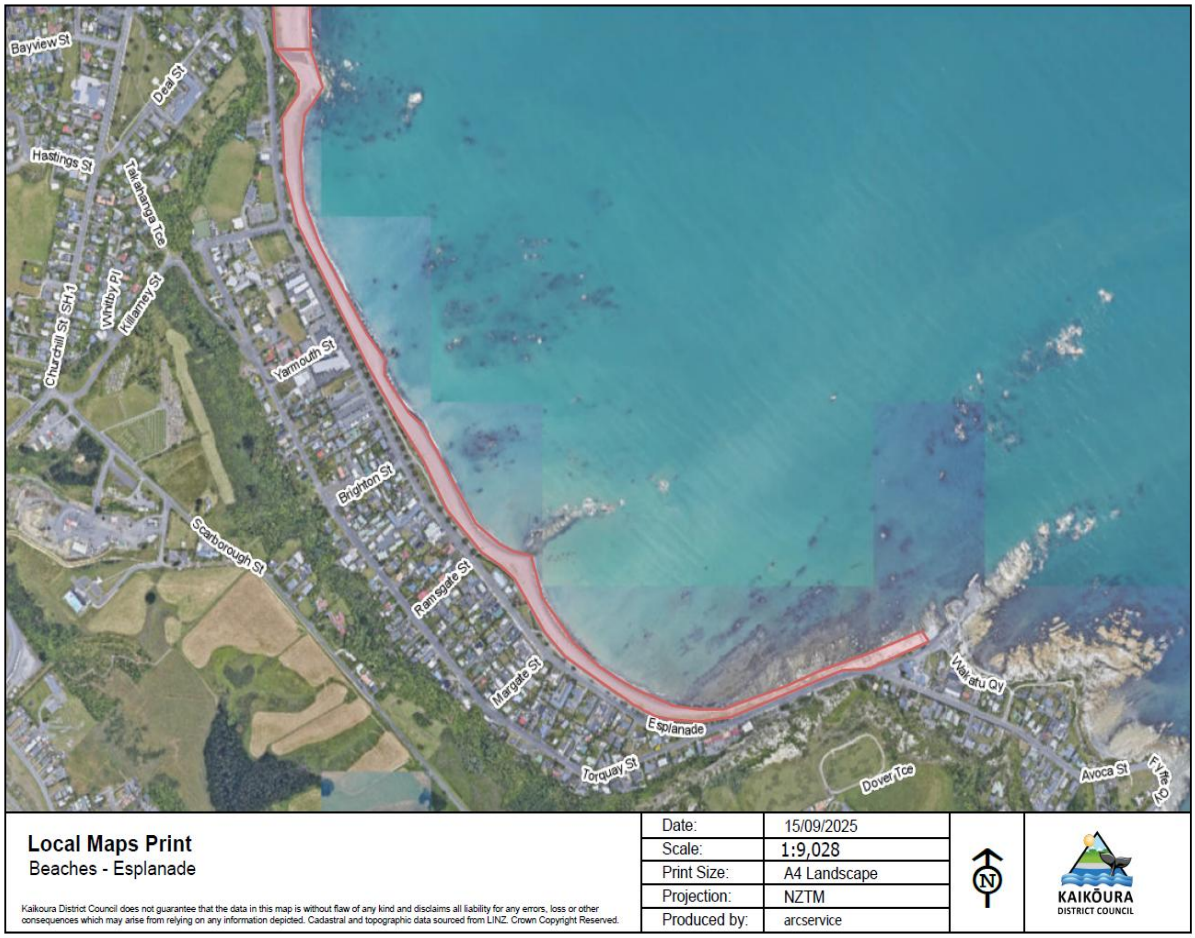
Kaikoura District Council does not guarantee that the data in this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequences which may arise from relying on any information depicted. Cadastral and topographic data sourced from LINZ. Crown Copyright Reserved.

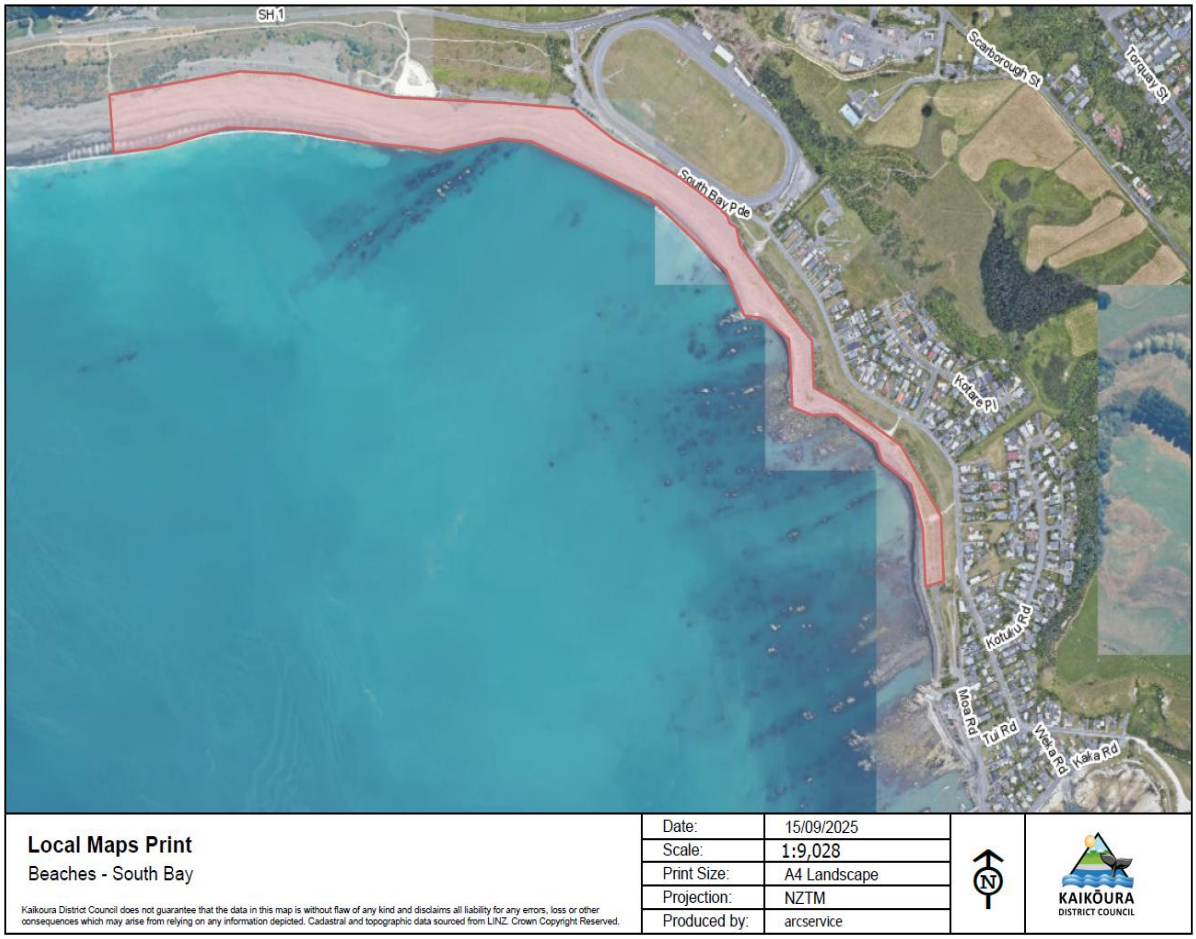
Date:	15/09/2025
Scale:	
Print Size:	A4 Portrait
Projection:	NZTM
Produced by:	arcservice

KAIKŌURA DISTRICT COUNCIL

Schedule A: Bird Protection 'Beaches'

Note: these maps show the beaches where the 1 September to 1 December restriction of off-leash dogs and motor vehicles apply. The restriction only applies to the beaches in these areas. A beach is defined as the foreshore area covered and uncovered by the ebb and flow of the tide, and any adjacent area which can reasonably be considered part of the beach including areas of sand, pebbles, and shingle; it does not include the adjoining park and roads.



Schedule A: Bird Protection 'Beaches'

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